

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

James Satchel, *et al.*,

Plaintiffs,

v.

Civil Action No. 16-11518

Dayton Township, *et al.*,

Sean F. Cox

United States District Court Judge

Defendants.

ORDER
ALLOWING FILING OF AMENDED COMPLAINT
AND AMENDED AFFIRMATIVE DEFENSES
AND DENYING SUMMARY JUDGMENT MOTION WITHOUT PREJUDICE

As agreed to by the parties, on the record on this date, the Court hereby **ORDERS** that:

- 1) No later than **August 15, 2017**, Plaintiffs may file an amended complaint, in order to amend the allegations concerning the statute that the conspiracy claims are based upon;
- 2) No later than **August 15, 2017**, Defendants may file amended affirmative defenses, in order to state the affirmative defense of legislative immunity;
- 3) If they wish to do so, Plaintiffs may serve interrogatories, limited to the newly-asserted affirmative defense of legislative immunity, within twenty-one (21) days of this order;
- 4) If they wish to do so, Plaintiffs may depose Defendants within sixty (60) days of this order, and such depositions shall be limited to the newly-asserted affirmative defense of legislative immunity.

The Court further **ORDERS** that Defendant's Motion for Summary Judgment, filed on

March 24, 2017 (Docket Entry No. 37) , is **DENIED WITHOUT PREJUDICE**. Within ninety (90) days of this Order, Defendants may file a new summary judgment motion.

The Court further advises both parties that any future motions and responses pertaining to qualified immunity must address each Defendant separately and include an analysis on a claim-by-claim basis.

IT IS SO ORDERED.

s/Sean F. Cox

Sean F. Cox

United States District Judge

Dated: August 8, 2017

I hereby certify that a copy of the foregoing document was served upon counsel of record on August 8, 2017, by electronic and/or ordinary mail.

s/Jennifer McCoy

Case Manager